



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/610,758	03/95/96	NAKATSU	Y SON-856

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LM11/0316

EXAMINER

GARBER, W

ART UNIT	PAPER NUMBER
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2712

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DATE MAILED:

03/16/98

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**08/610,758**

Applicant(s)  
**Y. Nakatsu et al.**

Examiner  
**Wendy Garber**

Group Art Unit  
**2712**



☒ Responsive to communication(s) filed on Jan 7, 1998

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-6 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-6 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☒ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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1. Applicant's arguments filed 1/7/98 have been fully considered but they are not persuasive.

The Applicants argue that Finelli cannot be used against the claims because Finelli discloses neither a video camera nor a video printer. The Examiner disagrees on both counts. The mere fact that Finelli shows, in figure 3, that the camera includes an image sensor (element 92) disproves this. Image sensors output video signals. Regardless of whether the outputs are still frames or moving frames, they are still video signals.

The Applicants state that Finelli discloses "an electronic imaging camera employing a film cassette with self-developing film units". This is incorrect. As discussed above, Finelli employs a camera that employs an image sensor which inherently outputs video signals. The part of the specification that the Applicants point to regarding this fact is discussing that the printer includes self-developing film units, not the camera. It should be noted that Finelli includes a video signal processing unit (100) in the system. Again, proof that the camera is indeed a video camera.

For these reasons, the rejection will be repeated.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 3-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Finelli et al.

Finelli shows, in figure 1, a video printer housing (12) to which a video camera (10) can be attached. As shown in figure 3, once the two are attached, they can communicate with each

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other through an interface (108, 112). Figure 1 shows that both the camera and the printer include an operation system, (42 and 64, respectively). As discussed in col. 6 in the last paragraph, these interface systems can be used interchangeably. That is, the interface system on the printer can be used to control the camera.

As for claim 3, Finelli shows in figure 2 that the printer has a pair of guide rails (74, 76) so that the camera can be mounted so that the electrodes (78) of the two devices are lined up.

Regarding claim 4, Finelli shows in figure 1 that the printer includes an LCD display for displaying the images transferred from the camera. As discussed in col. 6, lines 35+ disclose that images may be continuously shown on the display in a "shuttle ring" fashion.

As for claims 5-6, figure 3 of Finelli shows that the printer includes a memory (80) which stores images transmitted to the printer from the camera.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Finelli et al in view of Nagano et al.

Finelli does not explicitly state that the video camera includes an LCD display which the user uses to visually confirm images while the camera is attached to the printer. Finelli shows that the printer includes an LCD display which is used by the user to visually confirm images.

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However, it is notoriously well-known in the camera art that cameras include LCD displays.

Nagano is an example of a electronic still camera which includes an LCD display. As stated in col. 5, lines 50+, this LCD displays images. This makes the camera more adaptable to being used while separated from the printer (as Finelli states that it may be used) because the user may see the pictures without needing the bulk of having the camera connected to the printer if a printing function is not desired. For this reason, it would have been obvious to include an LCD display on the camera body, along with or instead of, the display located on the printer so that the user can view images when the camera is separated from the printer.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

5. **Any response to this final action should be mailed to:**

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**Box AF**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications; please mark "EXPEDITED  
PROCEDURE")

**Or:**

(703) 308-5399 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wendy Garber whose telephone number is (703) 305-4929. The examiner can normally be reached on Monday-Thursday from 7:45 to 5:15.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

WRG  
March 10, 1998

  
**WENDY GARBER**  
**PRIMARY EXAMINER**